

## REMARKS

The specification has been objected to due to minor informalities. The specification has been amended to obviate this objection.

Claims 1-5 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gravlee, Jr., U.S. Patent No. 5,788,679 in view of Sastri, U.S. Patent No. 4,556,607.

The pending claims are directed to a tip for oculistic surgery, specifically for the removal of a cataract. The tip has a proximal end and a distal end, which contacts crystalline during a surgical intervention. The distal end of the tip, which contacts the corneal or sclera tissue, is coated with an anti-friction treatment, wherein the treatment is based on carbon and tungsten carbide.

On the otherhand, Gravlee, Jr., '679 is directed to a particular type of tip for phacoemulsification of cataracts. The Gravlee tip further provides conicity, is realized on the distal portion of the tip and has a different geometric shape. The conicity is aimed to create a cut surface faced inward with respect to the distal surface of the tip. This cut surface helps to improve the cutting capability of the tip. The Gravlee '679 tip has been developed to be employed with a traditional phacoemulsification technique, providing the irrigation by a coaxial sleeve positioned outside the tip. No direct contact is made between the tip and the corneal tissue as in the Applicant's invention. Additionally, no inlet incision is provided.

The Applicant's inventive tip, on the other hand, is to be applied to a new technique (bi-manual tip) providing irrigation by a specific probe-cannula handled by the "other" hand of the surgeon. Therefore, no outer sleeve is provide, and the tip is directly in touch with the corneal tissue in correspondence with the incision point. Treatment of the inventive tip is completely different with respect to the improved cutting ability of the needle as indicated on page 5 of the office action. Rather, the treatment aims to reduce heat generated by friction between the tip and

the corneal tissue of the inlet incision point. This is a big problem with the bi-manual technique and thus is solved by the inventive tip.

On the other hand, the Sastri '607 patent concerns a substrate coating having a further coating with specific features, thus the initial coating is merely a subcoat. The Sastri '607 coating is made to increase the hardness and/or resistance during the cutting operation, whereas, the Applicant's inventive tip, which is 100% chromium or tungsten carbide or carbon, is not used to increase the hardness and/or the resistance during the cutting operation, but to obtain a low friction coefficient during its operation.

As independent claim 1 is patently distinguishable from the prior art references, the remaining claims dependent therefrom are also patently distinguishable.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicants also respectfully contend that the teachings of Gravlee, Jr. '679 in view of Sastri '607 do not establish a *prima facie* case of obviousness under the provisions of 35 U.S.C. §103(a). Thus, claims 1-5 are considered to be patently distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,



\_\_\_\_\_  
Arlene J. Powers  
Registration No. 35,985  
Gauthier & Connors, LLP  
225 Franklin Street, Suite 3300  
Boston, Massachusetts 02110  
Telephone: (617) 426-9180  
Extension 110